Daily Digest

HIGHLIGHTS

Senate agreed to S. Res. 45, Commemorating the *Columbia* Astronauts. Senate passed H.J. Res. 18, Continuing Appropriations.

The House agreed to H. Res. 51, Expressing Condolences to the Families of the Crew of the Space Shuttle *Columbia*.

The House passed H.J. Res. 18, making further continuing appropriations through February 20, 2003.

Senate

Chamber Action

Routine Proceedings, pages \$1913-\$2020

Measures Introduced: Twenty-three bills and five resolutions were introduced, as follows: S. 301–323, and S. Res. 45–49. Pages \$1976–77

Measures Reported:

S. Res. 47, authorizing expenditures by the Committee on Agriculture, Nutrition, and Forestry.

Page S1976

Measures Passed:

Commemorating Columbia Astronauts: By a unanimous vote of 95 yeas (Vote No. 30), Senate agreed to S. Res. 45, commemorating the Columbia Astronauts.

Pages S1914–28

Continuing Appropriations: Senate passed H.J. Res. 18, making further continuing appropriations for the fiscal year 2003. Page S2018

Nomination Considered: Senate began consideration of the nomination of Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

Pages \$1928-58

A unanimous-consent agreement was reached providing for further consideration of the nomination at 9:30 a.m., on Thursday, February 6, 2003.

Pages S1969-70

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, a report on a legislative proposal to establish the Millennium Challenge Account and the Millennium Challenge Corporation; to the Committee on Foreign Relations. (PM-12) Pages \$1968-69

Transmitting, pursuant to law, the report of an agreement between the United States and the Kingdom of Norway on Social Security, with a related administrative agreement, intended to modify certain provisions of the agreement that was signed on January 13, 1983; to the Committee on Finance. (PM–13)

Page S1969

Messages From the House:

Executive Communications:

Pages \$1969

Pages \$2018–20

Petitions and Memorials:

Pages \$1971–76

Executive Reports of Committees:

Additional Cosponsors:

Page \$1979

Statements on Introduced Bills/Resolutions:

Pages S1978-S2017

Additional Statements: Pages \$1967-68

Authority for Committees to Meet: Pages S2017-18

Privilege of the Floor: Page S2018

Text of S. Res. 41, Honoring the Mission of the Space Shuttle *Columbia*, as Previously Agreed To, on Monday, February 3, 2003:

Record Votes: One record vote was taken today. (Total—30)

Page S1928

Adjournment: Senate met at 9:30 a.m., and adjourned at 7:11 p.m., until 9:30 a.m., on Thursday, February 6, 2003. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page \$1970.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Agriculture, Nutrition, and Forestry: Committee adopted its rules of procedure for the 108th Congress, and ordered favorably reported an original resolution (S. Res. 47) authorizing expenditures by the Committee.

Also, Committee announced the following sub-committee assignments:

Subcommittee on Production and Price Competitiveness: Senators Dole (Chair), McConnell, Roberts, Chambliss, Coleman, Grassley, Conrad, Daschle, Miller, Baucus, and Lincoln.

Subcommittee on Marketing, Inspection, and Product Promotion: Senators Talent (Chair), Roberts, Fitzgerald, Chambliss, Grassley, Baucus, Nelson (NE), Conrad, and Stabenow.

Subcommittee on Forestry, Conservation, and Rural Revitalization: Senators Crapo (Chair), Lugar, Coleman, Talent, McConnell, Roberts, Lincoln, Dayton, Leahy, Daschle, and Nelson (NE).

Subcommittee on Research, Nutrition, and General Legislation: Senator Fitzgerald (Chair), Lugar, McConnell, Crapo, Dole, Leahy, Stabenow, Miller, and Dayton.

NOMINATION

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings on the nomination of William H. Donaldson, of New York, to be Member of the Securities and Exchange Commission, after the nominee, who was introduced by Senators Schumer and Clinton, testified and answered questions in his own behalf.

PRESIDENT'S BUDGET

Committee on the Budget: Committee concluded hearings to examine the President's fiscal year 2004 budget, after receiving testimony from Mitchell E. Daniels, Jr., Director, Office of Management and Budget.

PROFESSIONAL BOXING REFORM

Committee on Commerce, Science, and Transportation: Committee concluded hearings to reform the professional boxing industry, after receiving testimony from Patrick S. Pannella, Maryland State Athletic Commission, Baltimore; Ross Greenberg, HBO Sports, and Thomas Hauser, both of New York, New York; Bernard Hopkins, Philadelphia, Pennsylvania; and Bert R. Sugar, Chappaqua, New York.

AVIATION SECURITY

Committee on Commerce, Science, and Transportation: Committee concluded hearings to examine aviation security and impacts associated with the regulatory and statutory requirements of the Aviation and Transportation Security Act, after receiving testimony from Admiral James M. Loy, Under Secretary of Transportation for Security, Transportation Security Administration; Kenneth M. Mead, Inspector General Department of Transportation; Edward M. Bolen, General Aviation Manufacturers Association, and James C. May, Air Transport Association of America, Inc., both of Washington, D.C.; and Charles Barclay, American Association of Airport Executives, Alexandria, Virginia.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following business items:

- S. 111, to direct the Secretary of the Interior to conduct a special resource study to determine the national significance of the Miami Circle site in the State of Florida as well as the suitability and feasibility of its inclusion in the National Park System as part of Biscayne National Park, with an amendment in the nature of a substitute;
- S. 117, to authorize the Secretary of Agriculture to sell or exchange certain land in the State of Florida;
- S. 144, to require the Secretary of the Interior to establish a program to provide assistance through States to eligible weed management entities to control or eradicate harmful, nonnative weeds on public and private land, with an amendment in the nature of a substitute;
- S. 210, to provide for the protection of archaeological sites in the Galisteo Basin in New Mexico;
- S. 214, to designate Fort Bayard Historic District in the State of New Mexico as a National Historic Landmark, with an amendment in the nature of a substitute;
- S. 233, to direct the Secretary of the Interior to conduct a study of Coltsville in the State of Connecticut for potential inclusion in the National Park System; and
- S. 254, to revise the boundary of the Kaloko-Honokohau National Historical Park in the State of Hawaii.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the following measures:

An original bill entitled, "Armed Forces Tax Fairness Act of 2003"; and

An original bill entitled, "CARE Act of 2003".

BUDGET 2004: REVENUE PROPOSALS

Committee on Finance: Committee held hearings to examine the President's proposed budget estimates for fiscal years 2004, focusing on revenue proposals, economic growth plan, and the United States economy, receiving testimony from John W. Snow, Secretary of the Treasury.

Hearings recessed subject to call.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably the following business items:

An original resolution (S. Res. ***) authorizing expenditures by the Committee;

The Treaty Between the United States of America and the Russian Federation on Strategic Offensive Reductions, Signed at Moscow on May 24, 2002 (Treaty Doc. 107–8), with 2 conditions and 6 declarations; and

Foreign Service Officer Promotion lists received by the Senate on January 15, 2003.

Also, Committee announced the following sub-committee assignments:

Subcommittee on African Affairs: Senators Alexander (Chair), Brownback, Coleman, Sununu, Feingold, Dodd, and Nelson (FL).

Subcommittee on East Asian and Pacific Affairs: Senators Brownback (Chair), Alexander, Hagel, Allen, Voinovich, Kerry, Rockefeller, Feingold, and Corzine.

Subcommittee on European Affairs: Senators Allen (Chair), Voinovich, Hagel, Sununu, Chafee, Biden, Sarbanes, Dodd, and Kerry.

Subcommittee on International Economic Policy, Export and Trade Promotion: Senators Hagel (Chair), Chafee, Enzi, Alexander, Coleman, Sarbanes, Rockefeller, Corzine, and Dodd.

Subcommittee on International Operations and Terrorism: Senators Sununu (Chair), Enzi, Allen, Voinovich, Brownback, Nelson (FL), Biden, Feingold, and Boxer.

Subcommittee on Near Eastern and South Asian Affairs: Senators Chafee (Chair), Hagel, Brownback, Voinovich, Coleman, Boxer, Corzine, Rockefeller, and Sarbanes.

Subcommittee on Western Hemisphere, Peace Corps, and Narcotics Affairs: Senators Coleman (Chair), Chafee, Allen, Enzi, Sununu, Dodd, Boxer, Nelson (FL), Biden, and Kerry.

BUSINESS MEETING

Committee on Governmental Affairs: Committee adopted its rules of procedure for the 108th Congress, and announced the following subcommittee assignments:

Subcommittee on Financial Management, the Budget, and International Security: Senators Fitzgerald (Chair-

man), Stevens, Voinovich, Specter, Bennett, Sununu, Shelby, Akaka, Levin, Carper, Dayton, Lautenberg, and Pryor.

Permanent Subcommittee on Investigations: Senators Coleman (Chairman), Stevens, Voinovich, Specter, Bennett, Fitzgerald, Sununu, Shelby, Levin, Akaka, Durbin, Carper, Dayton, Lautenberg, and Pryor.

Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia: Senators Voinovich (Chairman), Stevens, Coleman, Bennett, Fitzgerald, Sununu, Durbin, Akaka, Carper, Lautenberg, and Pryor.

Senators Collins and Lieberman are Ex Officio Members of all the Subcommittees.

NOMINATIONS

Committee on the Judiciary: Committee concluded hearings on the nominations of Jay S. Bybee, of Nevada, to be United States Circuit Judge for the Ninth Circuit, who was introduced by Senators Reid and Ensign; Ralph R. Erickson, to be United States District Judge for the District of North Dakota, who was introduced by Senator Dorgan and Representative Pomeroy; William D. Quarles, Jr., to be United States District Judge for the District of Maryland, who was introduced by Senators Sarbanes and Mikulski; and Gregory L. Frost, to be United States District Judge for the Southern District of Ohio, who was introduced by Senator DeWine, after each nominee testified and answered questions in their own behalf

SMALL BUSINESS HEALTH CARE

Committee on Small Business and Entrepreneurship: Committee concluded hearings on possible solutions to the small business health care crisis, focusing on dwindling choices in affordable health care for small business and double digit premium increases passed on to employers now providing insurance, after receiving testimony from Elaine L. Chao, Secretary of Labor; Hector V. Barreto, Administrator, U.S. Small Business Administration; Kathie M. Leonard, Auburn Manufacturing, Inc., Mechanic Falls, Maine; Anne Valentine, SmartCatalog, Portland, Maine; Jack Faris, National Federation of Independent Business, Harry Alford, National Black Chamber of Commerce, Judith L. Lichtman, National Partnership for Women and Families, and Len Nichols, Center for Studying Health System Change, all of Washington, D.C.; Terry Neese, Women Impacting Public Policy, Oklahoma City, Oklahoma; Cliff Shannon, Pittsburgh, Pennsylvania, on behalf of the National Small Business United and SMC Business Councils; and Sandy Praeger, State of Kansas Commissioner of Insurance, Topeka, on behalf of the National Association of Insurance Commissioners.

House of Representatives

Chamber Action

Measures Introduced: 118 public bills, H.R. 5, 531–648; 1 private bill, H.R. 649; and 13 resolutions, H.J. Res. 20–21; H. Con. Res. 30–31, and H. Res. 51–59, were introduced.

Pages H317–23

Additional Cosponsors:

Pages H323-24

Reports Filed: No reports were filed today.

Guest Chaplain: The prayer was offered by the guest chaplain, Rev. Sara A. Gausmann, St. Paul Lutheran Church of York, Pennsylvania. Page H277

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of today. Page H277

Expressing Condolences to the Families of the Crew of the Space Shuttle *Columbia*: The House agreed to H. Res. 51, expressing the condolences of the House of Representatives to the families of the crew of the space shuttle *Columbia* by a yea-and-nay vote of 404 yeas with none voting "nay", Roll No. 19. Earlier agreed to consider the resolution by unanimous consent.

Pages H279-H307, S312-13

Presidential Message: Read the following messages from the President:

Millennium Challenge Account and Millennium Challenge Corporation: Message wherein he transmitted his legislative proposal to establish the Millennium Challenge Account and the Millennium Challenge Corporation—referred to the Committees on International Relations, Ways and Means, Judiciary, Resources, and Government Reform and ordered printed (H. Doc. 108–37); and Pages H307–08

Social Security Agreement between the United States and Norway: Message wherein he transmitted the agreement between the United States and Norway on social security, with a related administrative agreement, both signed at Oslo on November 30, 2001 and a report prepared by the Social Security Administration explaining the key points of the agreement—referred to the Committee on Ways and Means and ordered printed (H. Doc. 108–38).

Page H308

Recess: The House recessed at 5:35 p.m. and reconvened at 6:03 p.m. Page H308

Making Further Continuing Appropriations Through February 20: The House passed H.J. Res. 18, making further continuing appropriations for the fiscal year 2003 by voice vote.

Pages H308-12

Rejected the Obey motion to recommit the joint resolution to the Committee on Appropriations with instructions to report it back promptly with an amendment further amending Section 101 of Public Law 107–229 to maintain Medicare payment rates for physician services at FY 2002 levels and to set the base amount for computing Medicare payments to hospitals in small urban areas and rural areas equal to the higher base amount applicable to hospitals in large urban areas by a yea-and-nay vote of 195 yeas to 215 nays, Roll No. 18. Pages H310–12

The joint resolution was considered pursuant to an earlier unanimous consent agreement. Page H308

Director of the Congressional Budget Office: The Speaker of the House and the President pro tempore of the Senate appointed Mr. Douglas Holtz-Eakin as Director of the Congressional Budget Office for the term of office expiring on January 3, 2007.

Page H313

Committee Resignations: Without objection, the Chair accepted the various resignations from the following members from certain standing committees of the House: Representative Hefley from the Committee on Resources, Representative George Miller of California from the Committee on Resources, Representative Baird from the Committee on Science, Representative Boswell from the Committee on Agriculture, Representative Larsen of Washington from the Committee on Agriculture, Representative Smith of Washington from the Committee on Resources, Representative Davis of Tennessee from the Committee on Financial Services, Representative Israel from the Committee on Science, and Representative Jim Turner of Texas from the Committee on Government Reform. Pages H313-14

Committee Election—Minority Members: The House agreed to H. Res. 52, electing the following members and delegates to certain standing committees of the House of Representatives:

Committee on Agriculture: Representatives Alexander, Ballance, Cardoza, Scott of Georgia, Marshall, and Case; Page H314

Committee on Armed Services: Representatives Israel, Larsen of Washington, Cooper, Marshall, Mr. Meek of Florida, Bordallo, and Alexander; Page H314

Committee on the Budget: Representative Majette; Page H314

Committee on Education and the Workforce: Representatives Case, Grijalva, Majette, Ryan of Ohio, and Van Hollen; Page H314

Committee on Financial Services: Representative Emanuel (to rank immediately after Miller of North Carolina) and Davis of Alabama; Page H314 Committee on Government Reform: Representatives Van Hollen, Linda T. Sánchez, and Ruppersberger; Page H314

Committee on House Administration: Representatives Larson of Connecticut, Millender-McDonald, and Brady of Pennsylvania.; Page H314

Committee on International Relations: Representatives Smith of Washington, McCollum, and Bell; Page H314

Committee on Resources: Representatives Grijalva, Cardoza, and Bordallo; Page H314

Committee on Science: Representatives Bell, Bishop, Miller of North Carolina, and Davis of Tennessee; Page H314

Committee on Small Business: Representatives Ballance and Ryan of Ohio; Page H314

Committee on Standards of Official Conduct: Representative Mollohan; and Page H314

Committee on Veterans' Affairs: Representative Michaud. Page H314

Legislative Program: The Majority Leader announced the legislative program for the week of Feb. 10, 2003.

Pages H314–15

Meeting Hour—Friday, February 7: Agreed that when the House adjourns today it adjourn to meet at 10 a.m. on Friday, February 7. Page H315

Meeting Hour—Tuesday, February 11: Agreed that when the House adjourns on Friday, February 7, it adjourn to meet at 12:30 p.m. on Tuesday, February 11, for morning hour debate. Page H315

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of February 12.

Page H315

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of the House today and appear on pages H311–12 and H312. There were no quorum calls.

Adjournment: The House met at 3 p.m. and adjourned at 7:16 p.m, as a further mark of respect to the memory of the valiant crew members of the *Columbia* shuttle mission.

Committee Meetings

DEFENSE BUDGET FISCAL YEAR 2004; COMMITTEE ORGANIZATION; OVERSIGHT PLAN

Committee on Armed Services: Held a hearing on the Fiscal Year 2004 Defense Budget. Testimony was heard from the following officials of the Department of Defense: Donald H. Rumsfeld, Secretary; Gen. Richard Myers, USAF, Chairman, Joint Chiefs of

Staff; and Dov Zakheim, Under Secretary (Comptroller).

Prior to the hearing, the Committee met for organizational purposes and approved an Oversight Plan for the 108th Congress.

DEPARTMENT OF TREASURY—BUDGET PRIORITIES FISCAL YEAR 2002

Committee on the Budget: Held a hearing on the Department of the Treasury Budget Priorities Fiscal Year 2004. Testimony was heard from John W. Snow, Secretary of the Treasury.

COMMITTEE ORGANIZATION; OVERSIGHT PLAN

Committee on Education and the Workforce: Met for organizational purposes.

The Committee approved an Oversight Plan for the 108th Congress.

TELECOMMUNICATIONS SECTOR HEALTH

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled "Health of the Telecommunications Sector: A Perspective from Investors and Economists." Testimony was heard from public witnesses.

COMMITTEE ORGANIZATION; OVERSIGHT REPORT

Committee on Financial Services: Met for organizational purposes.

The Committee approved an Oversight Plan for the 108th Congress.

COMMITTEE ORGANIZATION; OVERSIGHT PLAN; HOUSE PERIMETER SECURITY PLAN

Committee on House Administration: Met for organizational purposes.

The Committee approved the following: an Oversight Plan for the 108th Congress; and the House Perimeter Security Plan.

VETERANS' EMPLOYMENT

Committee on Veterans' Affairs: Held a hearing on the State of Veterans' Employment. Testimony was heard from Angela B. Styles, Administrator, Office of Federal Procurement Policy, OMB; CMSgt. Elizabeth S. Schouten, (USAF), Deputy Director, Operations, U.S. Air Force Band; Linda G. Williams, Associate Administrator, Government Contracting, SBA; Kevin Boshears, Director, Office of Small Business Development, Department of the Treasury; the following officials of the Veterans Employment and Training Service, Department of Labor, Frederico Juarbe, Jr., Assistant Secretary; and Ron Bachman, Regional Administrator Chicago/Denver; and representatives of veterans' organizations.

FISCAL YEAR 2004 BUDGET

Committee on Ways and Means: Continued hearings on the President's Fiscal Year 2004 Budget proposals. Testimony was heard from Mitchell E. Daniels, Jr., Director, OMB.

Hearings continue tomorrow.

COMMITTEE ORGANIZATION

Committee on Ways and Means: Subcommittee on Human Resources met for organizational purposes.

COMMITTEE ORGANIZATION

Permanent Select Committee on Intelligence: Met in executive session for organizational purposes.

COMMITTEE MEETINGS FOR THURSDAY, FEBRUARY 6, 2003

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Foreign Relations: to hold hearings to examine foreign affairs budget, 9:30 a.m., SR-325.

Committee on the Judiciary: business meeting to consider the nomination of John G. Roberts, Jr., of Maryland, to be United States Circuit Judge for the District of Columbia Circuit, the nomination of Deborah L. Cook, of Ohio, to be United States Circuit Judge for the Sixth Circuit, the nomination of Jeffrey S. Sutton, of Ohio, to be United States Circuit Judge for the Sixth Circuit, the nomination of John R. Adams, to be United States District Judge for the Northern District of Ohio, the nomination of Robert A. Junell, to be United States District Judge for the Western District of Texas, the nomination of S. James Otero, to be United States District Judge for the Central District of California, S. 253, to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns, and S. 113, to exclude United States persons from the definition of "foreign power" under the Foreign Intelligence Surveillance Act of 1978 relating to international terrorism, and S. Res. 49, designating February 11, 2003, as "National Inventors' Day", 11:30 a.m., SD-226.

House

Committee on Ways and Means, to continue hearings on the President's Fiscal Year 2004 Budget proposals, 9:30 a.m., 1100 Longworth.

Next Meeting of the SENATE 9:30 a.m., Thursday, February 6 Next Meeting of the HOUSE OF REPRESENTATIVES 10 a.m., Friday, February 7

Senate Chamber

Program for Thursday: Senate will continue consideration of the nomination of Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

House Chamber

Program for Friday: Pro forma session.



Congressional Record The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate

provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed at one time. ¶Public access to the Congressional Record is available online through GPO Access, a service of the Government Printing Office, free of charge to the user. The online database is updated each day the Congressional Record is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available through GPO Access at www.gpo.gov/gpoaccess. Customers can also access this information with WAIS client software, via telnet at swais.access.gpo.gov, or dial-in using communications software and a modem at (202) 512-1661. Questions or comments regarding this database or GPO Access can be directed to the GPO Access User Support Team at: E-Mail: gpoaccess@gpo.gov; Phone 1-888-293-6498 (toll-free), 202-512-1530 (D.C. area); Fax: 202-512-1262. The Team's hours of availability are Monday through Friday, 7:00 a.m. to 5:30 p.m., Eastern Standard Time, except Federal holidays. ¶The Congressional Record paper and 24x microfiche will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, \$217.00 for six months, \$434.00 per year, or purchased for \$6.00 per issue, payable in advance; microfiche edition, \$141.00 per year, or purchased for \$1.50 per issue payable in advance. The semimonthly Congressional Record Index may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954, or phone orders to (866) 512-1800 (toll free), (202) 512-1800 (D.C. Area), or fax to (202) 512-2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. [Following each session of Congress, the daily Congressional Record is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. [With the exception of copyrighted articles, there are no restrictions on the republication of material from the Congressional Record.